

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

AMICUS THERAPEUTICS US, LLC  
and AMICUS THERAPEUTICS,  
INC.,

Plaintiffs,

V.

AUROBINDO PHARMA LTD and  
AUROBINDO PHARMA USA, INC.,

Defendants.

C.A. No. 22-1467-CFC  
**ANDA CASE**

**PLAINTIFFS' MOTION TO STRIKE DEFENDANTS' AFFIRMATIVE  
DEFENSE NOS. 2, 5, AND DEFENDANTS' IMPROPER DENIALS**

Plaintiffs Amicus Therapeutics US, LLC and Amicus Therapeutics, Inc. hereby move to strike Defendants Aurobindo Pharma Ltd. and Aurobindo Pharma USA, Inc. Second and Fifth Affirmative Defenses and Improper Denials. The grounds for this Motion are fully set forth in Plaintiffs' Opening Brief, filed concurrently herewith. According to D. Del. LR 7.1.1, Plaintiffs certify that reasonable efforts have been made to reach agreement on the subject of this Motion.

NOW THEREFORE, Plaintiffs request that the Court grant this Motion and enter the attached Proposed Order.

Dated: February 10, 2023

**BARNES & THORNBURG LLP**

/s/ Chad S.C. Stover

Chad S.C. Stover (No. 4919)  
222 Delaware Avenue, Suite 1200  
Wilmington, DE 19801  
Tel: (302) 300-3474  
Email: Chad.Stover@btlaw.com

John W. Cox, Ph.D.\*\*  
Christina M. Baugh\*\*  
Joshua M. Kalb\*\*  
Lauren Baker\*\*  
Anna Whitacre\*\*  
3340 Peachtree Road N.E., Suite 290  
Atlanta, GA 30326  
Tel. (404) 264-4092  
Email: John.Cox@btlaw.com  
Email: Josh.Kalb@btlaw.com  
Email: Lauren.Baker@btlaw.com  
Email: Anna.Whitacre@btlaw.com

Mark C. Nelson\*\*  
2121 N. Pearl Street, Suite 700  
Dallas, TX 75201  
Tel: (214) 258-4140  
Email: Mark.Nelson@btlaw.com

Heather B. Repicky\*\*  
One Marina Park Drive, Suite 1530  
Boston, MA 02210  
Tel: (617) 316-5317  
Email: Heather.Repicky@btlaw.com

Josh E. Ney, Ph.D.\*\*  
1717 Pennsylvania Avenue N.W.,  
Suite 500  
Washington, DC 20006-4628  
Tel: (734) 489-8004  
Email: Josh.Ney@btlaw.com

\*\* Admitted *pro hac vice*

*Attorneys for Plaintiffs*